

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF OKLAHOMA**

**In Re:
BROILER CHICKEN GROWER LITIGATION**

HAFF POULTRY INC., et al.,)	Case No.:	CIV-17-033-RJS
Plaintiffs)	Date:	04/20/2018
)	Court Time:	9:36 a.m. - 11:01 a.m.
v.)		11:14 a.m. - 12:39 p.m.
)		12:54 p.m. - 1:29 p.m.
TYSON FOODS, INC. et al.,)		
Defendants.)		

MINUTE SHEET – MOTION(S) HEARING

Robert J. Shelby, Judge	A. Booher, Law Clerk	B. Neil, Court Reporter
	T. Stephens, Deputy Clerk	FTR - Courtroom 1

Plaintiffs Steve and Robin Haff appear with Counsel:

Daniel J. Walker, Eric Cramer, Melinda R. Coolidge, Kristopher E. Koepsel, Larry D. Lahman, M. David Riggs, and Samantha S. Derksen

Counsel for Defendant Tyson:

John D. Harkrider, Michael L. Keeley, Lawrence R. Murphy, Jr., and Jonathan Max Justl Also present, were in house counsel Jane Duke and Bill Burke

Counsel for Defendant Pilgrim's Pride:

Benjamin L. Stewart and Reid E. Robison

Counsel for Defendant Perdue Farms:

Leonard L. Gordon

Minutes:

Case comes on for Motion hearing. Court first inquired to Counsel for Pilgrim's Pride regarding Northern District of Texas Bankruptcy Court Order. Counsel for Pilgrim's Pride responded. Counsel for Plaintiffs replied. Court then addressed Defendants' Joint Motion to Dismiss Under Federal Rules of Civil Procedure 12(b)(2), (3), and (6) (Dkt. Entry 193). Oral Argument from Defendants' counsel in support of Motion. Response from Plaintiffs. Reply from Defendants. Sur-reply from Plaintiffs. Court further addressed Defendant Perdue Farms' Motion to Compel Arbitration, Motion to Dismiss, and Motion to Stay (Dkt. Entry 192). Oral Argument from Defendant, Perdue Farms' counsel in support of Motion. Response from Plaintiffs. Reply from Defendant. Court advised parties that Motions are taken under advisement with written Order to follow. Court inquired to Plaintiffs regarding the filing of a Motion for Leave to file an Amended Complaint. Plaintiffs requested permission to file said Motion after the ruling on the Motions to Dismiss. No objection by Defendants. Should a Motion for Leave to file an Amended Complaint

be filed, said Motion shall be filed within 30 days of the Court's disposition of the Motions to Dismiss and shall include attachments to said Motion as exhibits, a copy of the Proposed Amended Complaint and a red-line version of the Proposed Amended Complaint. Plaintiffs inquired regarding stay of discovery. Court advised parties that once Motions are decided, assuming there is a Complaint in place, this case will move forward and there will not be a stay while awaiting the current MDL proceeding. **(RJS)**

Court adjourned.

Total Time: 3:25